

**Executive Summary – Enforcement Matter – Case No. 51486**

**City of Opdyke West**

**RN103788832**

**Docket No. 2015-1646-PWS-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

**Media:**

PWS

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

City of Opdyke West PWS, 2751 East Highway 114, Opdyke West, Hockley County

**Type of Operation:**

Public water supply

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** April 8, 2016

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$685

**Amount Deferred for Expedited Settlement:** \$0

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$685

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Unclassified

Site/RN - N/A

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** September 7 through 25, 2015

**Date(s) of NOE(s):** September 25, 2015

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**City of Opdyke West**  
**RN103788832**  
**Docket No. 2015-1646-PWS-E**

***Violation Information***

1. Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director ("ED") each quarter by the tenth day of the month following the end of the quarter and failed to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit the DLQOR [30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)].
2. Failed to provide public notification and failed to submit a copy of the public notification to the ED regarding the failure to comply with the maximum contaminant levels ("MCLs") for flouride and arsenic [30 TEX. ADMIN. CODE § 290.122(b)(3)(A) and (f)].
3. Failed to mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and failed to submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to the persons served at the locations in a manner consistent with TCEQ requirements [30 TEX. ADMIN. CODE § 290.117(i)(6) and (j)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to:

a. Within 30 days:

- i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DLQORs;
- ii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the ED;
- iii. Provide public notification regarding the failure to submit a DLQOR for the fourth quarter of 2014 and the failure to comply with the MCL for flouride for the first and second quarters of 2015, and the failure to comply with the MCL for arsenic for the second quarter of 2015, and provide a copy of each public notification to the ED; and

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**City of Opdyke West**

**RN103788832**

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iv. Mail copies of the consumer notification of lead tap water monitoring results to persons served at the locations that were sampled for the most recent monitoring period in which lead samples were collected.

b. Within 45 days:

i. Submit written certification to demonstrate compliance with a.; and

ii. Submit to the Commission a copy of the consumer notification provided to the persons served at the locations that were sampled for lead and the certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements.

c. Within 60 days, submit written certification to demonstrate compliance with b.ii.

d. Within 90 days, begin submitting DLQORs to the ED each quarter by the tenth day of the month following the end of the quarter. This provision will be satisfied upon two consecutive quarters of compliant reporting.

e. Within 285 days, submit written certification to demonstrate compliance with d.

***Litigation Information***

**Date Petition(s) Filed:** N/A

**Date Answer(s) Filed:** N/A

**SOAH Referral Date:** N/A

**Hearing Date(s):** N/A

**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** David Carney, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-2583; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483

**TCEQ SEP Coordinator:** N/A

**Respondent:** The Honorable Wayne Riggins, Mayor, City of Opdyke West, 301 Drew Drive, Levelland, Texas 79336

**Respondent's Attorney:** N/A





# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

<b>DATES</b>	<b>Assigned</b>	28-Sep-2015	<b>Screening</b>	29-Oct-2015	<b>EPA Due</b>	31-Dec-2015
	<b>PCW</b>	11-Dec-2015				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	City of Opdyke West		
<b>Reg. Ent. Ref. No.</b>	RN103788832		
<b>Facility/Site Region</b>	2-Lubbock	<b>Major/Minor Source</b>	Minor

## CASE INFORMATION

<b>Enf./Case ID No.</b>	51486	<b>No. of Violations</b>	3
<b>Docket No.</b>	2015-1646-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	Yes
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Jessica Schildwachter
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$500
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	37.0%	<b>Adjustment</b>	<b>Subtotals 2, 3, &amp; 7</b>	\$185
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Notes: Enhancement for seven NOV's with same or similar violations and one NOV with dissimilar violations.

<b>Culpability</b>	No	0.0%	<b>Enhancement</b>	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0%	<b>Enhancement*</b>	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$222  
Estimated Cost of Compliance \$530  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$685
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$685
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$685
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<b>DEFERRAL</b>	0.0%	<b>Reduction</b>	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

<b>PAYABLE PENALTY</b>	\$685
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Screening Date 29-Oct-2015

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PCW

Respondent City of Opdyke West

Policy Revision 4 (April 2014)

Case ID No. 51486

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103788832

Media [Statute] Public Water Supply

Enf. Coordinator Jessica Schildwachter

**Compliance History Worksheet**>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	7	35%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 37%>> **Repeat Violator (Subtotal 3)**

N/A

**Adjustment Percentage (Subtotal 3)** 0%>> **Compliance History Person Classification (Subtotal 7)**

Unclassified

**Adjustment Percentage (Subtotal 7)** 0%>> **Compliance History Summary****Compliance History Notes**

Enhancement for seven NOVs with same or similar violations and one NOV with dissimilar violations.

**Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)** 37%>> **Final Compliance History Adjustment****Final Adjustment Percentage \*capped at 100%** 37%

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PCW

Respondent City of Opdyke West

Policy Revision 4 (April 2014)

Case ID No. 51486

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103788832

Media [Statute] Public Water Supply

Enf. Coordinator Jessica Schildwachter

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)

Violation Description

Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of the quarter and failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the DLQOR. Specifically, the Respondent failed to submit a DLQOR for the fourth quarter of 2013 through the first quarter of 2015 and failed to provide public notification regarding the failure to submit a DLQOR for the fourth quarter of 2014.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

## Violation Events

Number of Violation Events 6

546 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$300

Six single events are recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$300

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$158

Violation Final Penalty Total \$411

This violation Final Assessed Penalty (adjusted for limits) \$411

# Economic Benefit Worksheet

**Respondent** City of Opdyke West  
**Case ID No.** 51486  
**Reg. Ent. Reference No.** RN103788832  
**Media** Public Water Supply  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	7-Sep-2015	30-Jun-2016	0.81	\$2	n/a	\$2
DLQOR Training	\$100	7-Sep-2015	30-Jun-2016	0.81	\$4	n/a	\$4
Public Notification Training	\$100	7-Sep-2015	30-Jun-2016	0.81	\$4	n/a	\$4
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25	11-Apr-2015	30-Jun-2016	1.22	\$2	n/a	\$2

Notes for DELAYED costs

The delayed costs include the estimated amount to update the Facility's operational guidance and conduct employee training to ensure that all DLQORs are submitted to the TCEQ in a timely manner, calculated from the record review date to the estimated date of compliance. The other delayed cost includes the estimated amount to implement procedures to ensure that all necessary public notifications are provided in a timely manner, calculated from the record review date to the estimated date of compliance. The other delayed cost include the estimated amount to ensure that the delinquent public notice (\$25 per notification x one notification) is provided to persons served by the Facility and a copy of the public notice is provided to the Executive Director, calculated from the date the public notice was due to the estimated date of compliance.

## Avoided Costs

### ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$132	10-Jan-2014	10-Apr-2015	2.16	\$14	\$132	\$146
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided costs include the estimated amount to timely prepare and submit a DLQOR (\$22 x six DLQORs), calculated from the date the DLQOR was due for the fourth quarter of 2013 to the date the DLQOR was due for the first quarter of 2015.

Approx. Cost of Compliance

\$402

TOTAL

\$158



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PCW

Respondent City of Opdyke West

Policy Revision 4 (April 2014)

Case ID No. 51486

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103788832

Media [Statute] Public Water Supply

Enf. Coordinator Jessica Schildwachter

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.122(b)(3)(A) and (f)

Violation Description

Failed to provide public notification and failed to submit a copy of the public notification to the Executive Director regarding the failure to comply with the maximum contaminant levels for fluoride for the first and second quarters of 2015 and arsenic for the second quarter of 2015. Specifically, public notifications were due on June 14, 2015 and August 11, 2015 and were not provided.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

## &gt;&gt; Programmatic Matrix

	Major	Moderate	Minor
Falsification			
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

## Violation Events

Number of Violation Events 3

60

Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$150

Three single events are recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$206

This violation Final Assessed Penalty (adjusted for limits) \$206

# Economic Benefit Worksheet

**Respondent** City of Opdyke West

**Case ID No.** 51486

**Reg. Ent. Reference No.** RN103788832

**Media** Public Water Supply

**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$75	14-Jun-2015	30-Jun-2016	1.05	\$4	n/a	\$4

**Notes for DELAYED costs**

The other delayed costs include the estimated amount to ensure that all delinquent public notifications (\$25 per notification x three notifications) are provided to persons served by the Facility and a copy of the notification is provided to the Executive Director, calculated from the due date of the earliest public notification to the estimated date of compliance.

## Avoided Costs

### ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$75

**TOTAL**

\$4

Screening Date 29-Oct-2015

Docket No. 2015-1646-PWS-E

PCW

Respondent City of Opdyke West

Policy Revision 4 (April 2014)

Case ID No. 51486

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN103788832

Media [Statute] Public Water Supply

Enf. Coordinator Jessica Schildwachter

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.117(l)(6) and (j)

Violation Description

Failed to mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and failed to submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to the persons served at the locations in a manner consistent with TCEQ requirements for the January 1, 2013 through December 31, 2013 monitoring period.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

## Violation Events

Number of Violation Events 1

667 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$50

One single event is recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$60

Violation Final Penalty Total \$69

This violation Final Assessed Penalty (adjusted for limits) \$69

# Economic Benefit Worksheet

Respondent City of Opdyke West  
 Case ID No. 51486  
 Reg. Ent. Reference No. RN103788832  
 Media Public Water Supply  
 Violation No. 3

Percent Interest 5.0  
 Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount  
 Item Description No commas or \$

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$53	31-Dec-2013	29-Oct-2015	2.75	\$7	\$53	\$60
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to prepare and mail the consumer notification for the January 1, 2013 through December 31, 2013 monitoring period to persons served at the locations that were sampled and to the TCEQ ((\$0.50 x five sample locations + \$50) x one monitoring period), calculated from the date the consumer notification was due to the screening date.

Approx. Cost of Compliance \$53

TOTAL \$60

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



## TCEQ Compliance History Report

**PENDING** Compliance History Report for CN600755334, RN103788832, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

**Customer, Respondent, or Owner/Operator:** CN600755334, City Of Opdyke West

**Classification:** UNCLASSIFIED

**Rating:** -----

**Regulated Entity:** RN103788832, CITY OF OPDYKE WEST

**Classification:** NOT APPLICABLE

**Rating:** N/A

**Complexity Points:** N/A

**Repeat Violator:** N/A

**CH Group:** 14 - Other

**Location:** 2751 E HWY 114, OPDYKE WEST, HOCKLEY COUNTY, TEXAS

**TCEQ Region:** REGION 02 - LUBBOCK

**ID Number(s):**

**PUBLIC WATER SYSTEM/SUPPLY REGISTRATION**

1100030

**Compliance History Period:** September 01, 2010 to August 31, 2015

**Rating Year:** 2015

**Rating Date:** 09/01/2015

**Date Compliance History Report Prepared:** October 29, 2015

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** October 29, 2010 to October 29, 2015

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Jessica Schildwachter

**Phone:** (512) 239-2617

### Site and Owner/Operator History:

- |  |     |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period?       | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO  |
| 3) If <b>YES</b> for #2, who is the current owner/operator?  | N/A |
| 4) If <b>YES</b> for #2, who was/were the prior owner(s)/operator(s)?                              | N/A |
| 5) If <b>YES</b> , when did the change(s) in owner or operator occur?                              | N/A |

### Components (Multimedia) for the Site Are Listed in Sections A - J

**A. Final Orders, court judgments, and consent decrees:**

N/A

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

Item 1	April 03, 2012	(993861)
Item 2	March 17, 2014	(1150750)

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a

regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1      Date:    01/14/2015    (1276706)                      CN600755334  
Self Report?   NO    Classification:    Moderate  
  
Citation:        30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
                    30 TAC Chapter 290, SubChapter F 290.110(e)(5)  
                    30 TAC Chapter 290, SubChapter F 290.110(f)(2)  
                    30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
Description:    DLQOR MR 3Q2014 - The system failed to monitor and/or report distribution  
                         disinfectant residuals to the TCEQ for the third quarter of 2014 within the  
                         required timeline.
- 2      Date:    04/08/2015    (1276706)                      CN600755334  
Self Report?   NO    Classification:    Moderate  
  
Citation:        30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
                    30 TAC Chapter 290, SubChapter F 290.110(e)(5)  
                    30 TAC Chapter 290, SubChapter F 290.110(f)(2)  
                    30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
Description:    DLQOR MR 4Q2014 - The system failed to monitor and/or report distribution  
                         disinfectant residuals to the TCEQ for the fourth quarter of 2014 within the  
                         required timeline.
- 3      Date:    04/15/2015    (1239591)                      CN600755334  
Self Report?   NO    Classification:    Moderate  
Citation:        30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)  
Description:    Failure to properly seal the wellhead for well #1.  
Self Report?   NO    Classification:    Moderate  
Citation:        30 TAC Chapter 290, SubChapter D 290.43(d)(3)  
Description:    Failure to provide a liquid level indicator for the 2,500 gallon pressure tank.  
Self Report?   NO    Classification:    Minor  
Citation:        30 TAC Chapter 288, SubChapter B 288.20  
Description:    Failure to develop and adopt a Drought Contingency Plan.  
Self Report?   NO    Classification:    Minor  
Citation:        30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii)  
                    30 TAC Chapter 290, SubChapter D 290.46(m)(1)  
Description:    Failure to conduct tank inspections at least annually.  
Self Report?   NO    Classification:    Minor  
Citation:        30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)  
Description:    Failure to maintain disinfectant residual analyzer calibration verification at least  
                         quarterly.
- 4      Date:    06/26/2015    (1276706)                      CN600755334  
Self Report?   NO    Classification:    Moderate  
  
Citation:        30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)  
                    30 TAC Chapter 290, SubChapter F 290.110(e)(5)  
                    30 TAC Chapter 290, SubChapter F 290.110(f)(2)  
                    30 TAC Chapter 290, SubChapter F 290.110(f)(3)  
Description:    DLQOR MR 1Q2015 - The system failed to monitor and/or report distribution  
                         disinfectant residuals to the TCEQ for the first quarter of 2015 within the required  
                         timeline.
- 5      Date:    07/13/2015    (1276706)                      CN600755334  
Self Report?   NO    Classification:    Moderate  
Citation:        30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)  
                    30 TAC Chapter 290, SubChapter F 290.122(f)  
Description:    FLU MCL PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed  
                         certificate of delivery to the Executive Director certifying that public notice was  
                         issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that  
                         public notice was required for a violation of the maximum contaminant level for  
                         Flouride during the first quarter of 2015.
- 6      Date:    07/31/2015    (1276706)                      CN600755334  
Self Report?   NO    Classification:    Moderate  
Citation:        30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)  
                    30 TAC Chapter 290, SubChapter F 290.122(f)  
Description:    DLQOR MR PN 4Q2014 Posting and Reporting Violation - Failure to submit a  
                         signed certificate of delivery to the Executive Director certifying that public notice  
                         was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period  
                         that public notice was required for a disinfectant monitoring and reporting

violation during the fourth quarter of 2014.

- 7      Date: 08/31/2015 (1276706)      CN600755334  
Self Report? NO      Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)  
30 TAC Chapter 290, SubChapter F 290.122(f)  
Description: FLU MCL PN 2Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Flouride during the second quarter of 2015.  
Self Report? NO      Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)  
30 TAC Chapter 290, SubChapter F 290.122(f)  
Description: ARS MCL PN 2Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Arsenic during the second quarter of 2015.
- 8      Date: 09/14/2015 (1280436)      CN600755334  
Self Report? NO      Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.117(i)(6)  
30 TAC Chapter 290, SubChapter F 290.117(j)  
Description: LCR LCN - The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during 06/01/2013 to 09/30/2013 for the triennial monitoring period of 2011 to 2013.

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

**All NOV's Issued During Component Period 10/29/2010 and 10/29/2015**

Page 4



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CN600755334

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.43(d)(3)

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 288, SubChapter B 288.20

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(D)(ii)

Description: Failure to conduct tank inspections at least annually.

Classification: Minor

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

 $g^*$ 

CN600755334

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)

30 TAC Chapter 290, SubChapter F 290.110(e)(5)

30 TAC Chapter 290, SubChapter F 290.110(f)(2)

30 TAC Chapter 290, SubChapter F 290.110(f)(3)

DLQOR MR 1Q2015 - The system failed to monitor

9\*

CN600755334

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

10\*

CN600755334

Classification: Moderate

Self Report? NO

Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)

30 TAC Chapter 290, SubChapter F 290.122(f)

11\*

CN600755334

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)  
 30 TAC Chapter 290, SubChapter F 290.122(f)  
 Description: FLU MCL PN 2Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Flouride during the second quarter of 2015.

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(A)  
 30 TAC Chapter 290, SubChapter F 290.122(f)

Description: ARS MCL PN 2Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for Arsenic during the second quarter of 2015.

12 Date: 09/14/2015 (1280436) CN600755334

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 290, SubChapter F 290.117(i)(6)  
 30 TAC Chapter 290, SubChapter F 290.117(j)

Description: LCR LCN - The system failed to provide a consumer notice of lead tap water monitoring results to persons served at the sites (taps) that were tested during 06/01/2013 to 09/30/2013 for the triennial monitoring period of 2011 to 2013.

\* NOV's applicable for the Compliance History rating period 9/1/2010 to 8/31/2015

## Appendix B

### All Investigations Conducted During Component Period October 29, 2010 and October 29, 2015

Item 1	November 23, 2010**	<b>For Informational Purposes Only</b> (878762)
Item 2	February 10, 2011**	<b>For Informational Purposes Only</b> (895306)
Item 3*	April 03, 2012**	<b>For Informational Purposes Only</b> (993861)
Item 4*	March 17, 2014**	<b>For Informational Purposes Only</b> (1150750)
Item 5	April 14, 2015**	<b>For Informational Purposes Only</b> (1239591)
Item 6	July 12, 2015**	<b>For Informational Purposes Only</b> (1261758)
Item 7	September 04, 2015	<b>For Informational Purposes Only</b> (1275285)
Item 8	September 14, 2015	<b>For Informational Purposes Only</b> (1276706)
Item 9	September 21, 2015	<b>For Informational Purposes Only</b> (1280436)
Item 10	September 25, 2015	<b>For Informational Purposes Only</b> (1281085)

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2010 and 08/31/2015.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CITY OF OPDYKE WEST  
RN103788832**

**§        BEFORE THE  
§  
§        TEXAS COMMISSION ON  
§  
§        ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2015-1646-PWS-E**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Opdyke West ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### **I. FINDINGS OF FACT**

1. The Respondent owns and operates a public water supply located at 2751 East Highway 114 in Opdyke West, Hockley County, Texas (the "Facility") that has 105 service connections and serves at least 25 people per day for at least 60 days per year.

2. During a record review conducted from September 7, 2015 through September 25, 2015, TCEQ staff documented that the Respondent did not submit a Disinfectant Level Quarterly Operating Report ("DLQOR") for the fourth quarter of 2013 through the first quarter of 2015 and did not provide public notification regarding the failure to submit a DLQOR for the fourth quarter of 2014.
3. During a record review conducted from September 7, 2015 through September 25, 2015, TCEQ staff documented that the Respondent did not provide public notification and did not submit a copy of the public notification to the Executive Director regarding the failure to comply with the maximum contaminant levels ("MCLs") for fluoride for the first and second quarters of 2015 and arsenic for the second quarter of 2015. Specifically, public notifications were due on June 14, 2015 and August 11, 2015 and were not provided.
4. During a record review conducted from September 7, 2015 through September 25, 2015, TCEQ staff documented that the Respondent did not mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and did not submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to the persons served at the locations in a manner consistent with TCEQ requirements for the January 1, 2013 through December 31, 2013 monitoring period.
5. The Respondent received notice of the violations on October 1, 2015.

## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month following the end of the quarter and failed to provide public notification and submit a copy of the public notification to the Executive Director regarding the failure to submit the DLQOR, in violation of 30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f).
3. As evidenced by Findings of Fact No. 3, the Respondent failed to provide public notification and failed to submit a copy of the public notification to the Executive Director regarding the failure to comply with the MCLs for fluoride and arsenic, in violation of 30 TEX. ADMIN. CODE § 290.122(b)(3)(A) and (f).
4. As evidenced by Findings of Fact No. 4, the Respondent failed to mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and failed to submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to the persons served at

the locations in a manner consistent with TCEQ requirements, in violation of 30 TEX. ADMIN. CODE § 290.117(i)(6) and (j).

5. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of Six Hundred Eighty-Five Dollars (\$685) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid the Six Hundred Eighty-Five Dollar (\$685) administrative penalty.

### **III. ORDERING PROVISIONS**

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Six Hundred Eighty-Five Dollars (\$685) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Opdyke West, Docket No. 2015-1646-PWS-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:
    - i. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DLQORs, in accordance with 30 TEX. ADMIN. CODE § 290.110;

- ii. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122;
  - iii. Provide public notification regarding the failure to submit a DLQOR for the fourth quarter of 2014 and the failure to comply with the MCL for flouride for the first and second quarters of 2015, and the failure to comply with the MCL for arsenic for the second quarter of 2015, and provide a copy of each public notification to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122; and
  - iv. Mail copies of the consumer notification of lead tap water monitoring results to persons served at the locations that were sampled for the most recent monitoring period in which lead samples were collected, in accordance with 30 TEX. ADMIN. CODE § 290.122.
- b. Within 45 days after the effective date of this Agreed Order:
- i. Submit written certification as described in Ordering Provision No. 2.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.; and
  - ii. Submit to the Commission a copy of the consumer notification provided to the persons served at the locations that were sampled for lead and the certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements, in accordance with 30 TEX. ADMIN. CODE § 290.117. The copy of the consumer notification and the certification shall be mailed to:  
  

Public Drinking Water Section  
Water Supply Division, MC 155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087
- c. Within 60 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 2.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.b.ii.
- d. Within 90 days after the effective date of this Agreed Order, begin submitting DLQORs to the Executive Director each quarter by the tenth day of the month following the end of the quarter, in accordance with 30 TEX. ADMIN. CODE

§ 290.110. This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator  
Water Supply Division, MC 155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

- e. Within 285 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section  
Water Supply Division, MC 155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the

Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.



## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



6/9/16  
Date

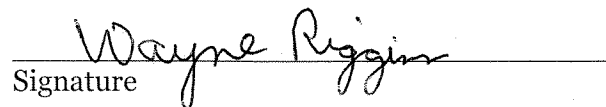
I, the undersigned, have read and understand the attached Agreed Order in the matter of the City of Opdyke West. I am authorized to agree to the attached Agreed Order on behalf of the City of Opdyke West, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, the City of Opdyke West waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

3-4-16  
Date

WAYNE RIGGINS  
Name (Printed or typed)  
Authorized Representative of  
City of Opdyke West

Mayor  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.